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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/021,426	10/30/2001	Martin DeGeorge	MATP-607US	2073
23122	7590	08/12/2004	EXAMINER	
RATNERPRESTIA			ELAHEE, MD S	
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DATE MAILED: 08/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/021,426

Applicant(s)

DEGEORGE, MARTIN

Examiner

Md S Elahee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06/01/04 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Response to Amendment

1. This action is responsive to an amendment filed on 06/01/04. Claims 1-18 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 1-18 have been fully considered but are moot in view of the new ground(s) of rejection which is deemed appropriate to address all of the needs at this time.

Drawings

3. The drawing is objected to because regarding fig. 2, the block 230 'DTMF DEDCODER' appears to be the block 230 'DTMF DECODER'. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 3, 6, 13, 15, 16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hashimoto et al. (U.S. Patent No. 5,909,647).

Regarding claims 1 and 13, Hashimoto teaches an outgoing message unit (OGM) that receives the audio messages (abstract; fig.2; col.3, lines 1, 2; 'outgoing message unit (OGM)' reads on the claim 'answering machine module').

Hashimoto further teaches a DTMF tone decoder which converts the DTMF tones to digital codes (i.e., since the digital codes are representation of all the digits of a telephone data, the digital codes represent a text) representation of the DTMF tones matching respective individual keys on a telephone keypad (fig.2, fig.5; col.2, lines 63-67, col.4, lines 40-65).

Hashimoto further teaches a memory (fig.2; col.3, lines 4-6).

Hashimoto further teaches a control unit (i.e., processor) that stores audio messages into an ICM unit (fig.2, fig.5; col.3, lines 4-6, col.4, lines 5-14, 18-23, 38-65; 'audio message' reads on the claim 'received audio messages').

Hashimoto does not explicitly states that ICM unit and memory are integrated as a single unit (i.e., the claimed storage device).

However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hashimoto to incorporate both of memory and ICM unit into a single device in order to provide the single storage for the combined messages including the received messages as well as the telephone data representing the DTMF tones.

Regarding claims 3 and 15, Hashimoto further teaches a control unit (i.e., processor) that stores the message corresponding the data records into a memory (fig.2, fig.5; col.3, lines 4-6, col.4, lines 5-14, 40-67, col.5, lines 1-4; 'message corresponding

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the data records' reads on the claim 'the speech signals in place of the DTMF tones in the respective audio messages').

Regarding claims 4 and 16, Hashimoto teaches a console unit, coupled to the processor for providing commands to the control unit (i.e., processor) (fig.2; col.2, lines 55-59, col.4, lines 5-14; 'console unit' reads on the claim 'user interface').

Hashimoto further teaches an auto-dialer unit (i.e., interface) to an exchange B (i.e., public switched telephone network (PSTN)) (fig.1, fig.2).

Hashimoto further teaches that the control unit (i.e., processor) is responsive to a command provided via the console unit to inherently retrieve the DTMF tones from the memory (i.e., storage device) to call up (i.e., initiate a telephone call) (fig.2; col.2, lines 55-59, col.3, lines 3, 4, col.4, lines 5-14; 'console unit' reads on the claim 'user interface').

Regarding claim 6, Hashimoto teaches a telephone answering device (i.e., telecommunications unit) including a display output port and a voice synthesis (i.e., audio output) port, whereby the stored audio message are provided to the voice synthesis (i.e., audio output) port and the respective stored data (i.e., text) is provided to the display output port for displaying (i.e., concurrent presentation) to a caller (fig.2; col.3, lines 8-12, col.5, lines 1-4, 20-23, 31-41).

Regarding claim 18, Hashimoto teaches providing the message (i.e., audio message) as an audio output signal (col.3, lines 55-61, col.4, lines 66, 67, col.5, lines 1-4).

Hashimoto further teaches displaying stored text corresponding to audio message as the respective audio message is provided (col.5, lines 1-4, 20-23, 31-41).

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6. Claims 2, 5, 14 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hashimoto et al. (U.S. Patent No. 5,909,647) and in view of McNutt et al. (U.S. Patent No. 4,805,207).

Regarding claims 2 and 14 are rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Hashimoto fails to teach "text-to-speech conversion means which converts the text to speech signals". McNutt teaches software routines converting the text to speech parameter (col.4, lines 44-67, col.5, lines 1-13; 'software routines' reads on the claim 'text-to-speech conversion means' and 'speech parameter' reads on the claim 'speech signals'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hashimoto to allow text-to-speech conversion means as taught by McNutt. The motivation for the modification is to have the text-to-speech conversion means in order to provide the speech signal.

Regarding claim 5 is rejected for the same reasons as discussed above with respect to claim 4. Furthermore, Hashimoto further fails to teach "a DTMF tone generator configured to translate text numbers into DTMF tones". McNutt teaches a DTMF generator circuit to convert text into DTMF signals (abstract; col.4, lines 44-68, col.5, lines 1-30; 'DTMF generator circuit' reads on the claim 'DTMF tone generator configured', 'convert' reads on the claim 'translate' and 'text into DTMF signals' reads on the claim 'text numbers into DTMF tones'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hashimoto to allow the DTMF tone generator to translate text numbers into DTMF tones as taught by

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McNutt. The motivation for the modification is to have the DTMF tone generator in order to provide the telephone number to the callee.

Hashimoto further teaches that the control unit (i.e., processor) is responsive to a command provided via the console unit to inherently retrieve the text corresponding to the DTMF tones from the memory (i.e., storage device) and to provide the retrieved text to the DTMF tone generator (fig.2; col.2, lines 55-67, col.3, lines 3, 4, col.4, lines 5-14; 'console unit' reads on the claim 'user interface').

Regarding claim 17, Hashimoto further fails to teach "converting the stored text corresponding to one of the received audio messages to DTMF tones". McNutt teaches converting text into DTMF signals (abstract; col.4, lines 44-68, col.5, lines 1-30; 'text into DTMF signals' reads on the claim 'the stored text corresponding to one of the received audio messages to DTMF tones'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hashimoto to allow the DTMF tone generator to convert text to DTMF tones as taught by McNutt. The motivation for the modification is to have the conversion in order to provide the telephone number to the callee.

Hashimoto further teaches calling up a number by providing the number data to a telecommunications network (fig.2; col.3, lines 3, 4, col.5, lines 20-23, 31-41; 'calling up a number' reads on the claim 'initiating a telephone call' and 'number data' reads on the claim 'converted DTMF tones').

7. Claims 7 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hashimoto et al. (U.S. Patent No. 5,909,647) and in view of Underkoffler (U.S. Patent No. 4,426,555).

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Regarding claim 7 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Hashimoto teaches liquid crystal display (i.e., video processing circuitry) (col.3, lines 38-40).

Hashimoto further teaches ICM unit (i.e., audio processing circuitry) (fig.2; col.4, lines 18-23).

Hashimoto further teaches displaying the telephone data (i.e., text) using the liquid crystal display (col.3, lines 38-40, col.5, lines 12-41, 64-67, col.6, lines 1-14).

However, Hashimoto fails to teach "replays the stored messages using the audio processing circuitry". Underkoffler teaches replaying the stored messages using the tape recorder (i.e., audio processing circuitry) (col.3, lines 44-51). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Hashimoto to replay the stored messages using the audio processing circuitry as taught by Underkoffler. The motivation for the modification is to have doing so in order to provide the recorded message to the user.

Regarding claim 12 is rejected for the same reasons as discussed above with respect to claim 6.

8. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hashimoto et al. (U.S. Patent No. 5,909,647) and in view of Underkoffler (U.S. Patent No. 4,426,555) and further in view of McNutt et al. (U.S. Patent No. 4,805,207).

Regarding claims 8 and 9 are rejected for the same reasons as discussed above with respect to claims 2 and 3 simultaneously.

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9. Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hashimoto et al. (U.S. Patent No. 5,909,647) and in view of Underkoffler (U.S. Patent No. 4,426,555) and further in view of McNutt et al. (U.S. Patent No. 4,805,207).

Regarding claims 10 and 11 are rejected for the same reasons as discussed above with respect to claims 4 and 5 simultaneously.

Conclusion.

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Itoh et al. (U.S. Patent 5,841,838) teach Telephone answering unit with caller identification and message recording function and Klausner et al. (U.S. Patent 5,572,576) teach Telephone answering device linking displayed data with recorded audio message.

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Md S Elahee whose telephone number is (703)305-4822. The examiner can normally be reached on Mon to Fri from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703)305-4895. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M.E.

MD SHAFIUL ALAM ELAHEE
August 5, 2004

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

